

**Proposed Substitute
Bill No. 5550**

LCO No. 3396

**AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO
THE EDUCATION STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-14n of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 *(Effective from passage):*

4 (a) As used in this section, "mastery examination" means (1) for
5 students enrolled in grades three to eight, inclusive, an examination or
6 examinations, approved by the State Board of Education, that
7 measures essential and grade-appropriate skills in reading, writing or
8 mathematics, (2) for students enrolled in grades five, eight and ten, an
9 examination, approved by the State Board of Education, that measures
10 essential and grade-appropriate skills in science, and (3) for students
11 enrolled in grade eleven, a nationally recognized college readiness
12 assessment, approved by the State Board of Education, that measures
13 essential and grade-appropriate skills in reading, writing and
14 mathematics.

15 (b) (1) For the school year commencing July 1, 2015, and each school
16 year thereafter, each student enrolled in grades three to eight,
17 inclusive, and grade eleven in any public school shall, annually, take a
18 mastery examination in reading, writing and mathematics during the

19 regular school day.

20 (2) For the school year commencing July 1, 2013, and each school
21 year thereafter, each student enrolled in grades five, eight and ten in
22 any public school shall, annually, in March or April, take a state-wide
23 mastery examination in science during the regular school day.

24 (c) (1) Mastery examinations, as defined in subdivision (1) of
25 subsection (a) of this section, given to students enrolled in grades three
26 to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this
27 section, shall be provided by and administered under the supervision
28 of the State Board of Education.

29 (2) Mastery examinations, as defined in subdivision (2) of subsection
30 (a) of this section, given to students enrolled in grades five, eight and
31 ten, pursuant to subdivision (2) of subsection (b) of this section, shall
32 be provided by and administered under the supervision of the State
33 Board of Education.

34 (3) Mastery examinations, as defined in subdivision (3) of subsection
35 (a) of this section, given to students enrolled in grade eleven, pursuant
36 to subdivision (1) of subsection (b) of this section, shall be paid for by
37 the State Board of Education and administered by the provider of such
38 nationally recognized college readiness assessment in accordance with
39 the provisions of the agreement between the state board and such
40 provider, pursuant to section 10-14x.

41 (d) The scores on each component of the mastery examination, as
42 defined in subdivision (3) of subsection (a) of this section, for each
43 eleventh grade student may be included on the permanent record and
44 transcript of each such student who takes such examination. For each
45 eleventh grade student who meets or exceeds the state-wide mastery
46 goal level on any component of the mastery examination, a
47 certification of having met or exceeded such goal level shall be made
48 on the permanent record and the transcript of each such student and
49 such student shall be issued a certificate of mastery for such
50 component.

51 (e) No public school may require achievement of a satisfactory score
52 on a mastery examination, or any subsequent retest on a component of
53 such examination as the sole criterion of promotion or graduation.

54 (f) (1) For the school year commencing July 1, 2015, and each school
55 year thereafter, the scores on each component of the mastery
56 examination for students who are English language learners, as
57 defined in section 10-76kk, and who have been enrolled in a school in
58 this state or another state for fewer than twenty school months, shall
59 not be used for purposes of calculating the [school performance index,
60 pursuant to section 10-223e, or the district performance index,
61 pursuant to section 10-262u] accountability index score, as defined in
62 section 10-223e, for a school or school district.

63 (2) For the school year commencing July 1, 2015, and each school
64 year thereafter, mastery examinations pursuant to subsection (b) of
65 this section shall be offered in the most common native language of
66 students who are English language learners taking such mastery
67 examinations and any additional native languages of such students
68 when mastery examinations in such native languages are developed
69 and have been approved by the United States Department of
70 Education.

71 (g) Not later than August fifteenth of each school year, the
72 Department of Education shall notify each local and regional board of
73 education of the scores of students under the jurisdiction of the board
74 on the mastery examination administered during the previous school
75 year.

76 Sec. 2. Subsection (g) of section 10-145b of the 2016 supplement to
77 the general statutes is repealed and the following is substituted in lieu
78 thereof (*Effective July 1, 2016*):

79 (g) On or after July 1, 1989, and prior to July 1, [2016] 2018, to
80 qualify for a professional educator certificate, a person who holds or
81 has held a provisional educator certificate under subsection (e) of this
82 section shall have completed thirty credit hours of course work beyond

83 the baccalaureate degree. It is not necessary that such course work be
84 taken for a master's degree and such work may include graduate or
85 undergraduate courses. On and after July 1, [2016] 2018, to qualify for
86 a professional educator certificate, a person who holds or has held a
87 provisional educator certificate under subsection (d) of this section
88 shall hold a master's degree in an appropriate subject matter area, as
89 determined by the State Board of Education, related to such teacher's
90 certification endorsement area.

91 Sec. 3. Subdivision (7) of section 10-144o of the 2016 supplement to
92 the general statutes is repealed and the following is substituted in lieu
93 thereof (*Effective July 1, 2016*):

94 (7) "Professional educator certificate" means a license to teach issued
95 on or after July 1, 1989, initially to a person who has successfully
96 completed not less than three school years of teaching in a public
97 school or nonpublic school approved by the State Board of Education
98 while holding a provisional educator or provisional teaching certificate
99 and prior to July 1, [2016] 2018, has successfully completed not fewer
100 than thirty semester hours of credit beyond a bachelor's degree, and on
101 and after July 1, [2016] 2018, holds a master's degree in an appropriate
102 subject matter area, as determined by the State Board of Education,
103 related to such person's certification endorsement area. Said certificate
104 shall be continued every five years after issuance;

105 Sec. 4. Subdivision (2) of subsection (a) of section 10-198c of the 2016
106 supplement to the general statutes is repealed and the following is
107 substituted in lieu thereof (*Effective July 1, 2016*):

108 (2) "Absence" means [(A)] an excused absence, unexcused absence
109 or disciplinary absence, as those terms are defined by the State Board
110 of Education pursuant to section 10-198b; [, or (B) an in-school
111 suspension, as defined in section 10-233a, that is greater than or equal
112 to one-half of a school day;]

113 Sec. 5. Subsection (j) of section 10-223h of the 2016 supplement to
114 the general statutes is repealed and the following is substituted in lieu

115 thereof (*Effective July 1, 2016*):

116 (j) (1) [The] Not later than September 15, 2016, and annually
117 thereafter, the Commissioner of Education shall [annually] submit a
118 report on the academic performance of each school participating in the
119 commissioner's network of schools to the joint standing committee of
120 the General Assembly having cognizance of matters relating to
121 education, in accordance with the provisions of section 11-4a. Such
122 report shall include, but not be limited to, (A) the accountability index
123 score, as defined in section 10-223e, for such school, (B) trends for the
124 accountability index scores during the period that such school is
125 participating in the commissioner's network of schools, (C)
126 adjustments for subgroups of students at such school, including, but
127 not limited to, students whose primary language is not English,
128 students receiving special education services and students who are
129 eligible for free or reduced price lunches, and (D) performance
130 evaluation results in the aggregate for teachers and administrators at
131 such school.

132 (2) [The] Not later than September 15, 2016, and annually thereafter,
133 the Commissioner of Education shall [annually] submit a report
134 comparing and analyzing the academic performance of all the schools
135 participating in the commissioner's network of schools to the joint
136 standing committee of the General Assembly having cognizance of
137 matters relating to education, in accordance with the provisions of
138 section 11-4a. Such report shall include, but not be limited to, (A) the
139 accountability index score, as defined in section 10-223e, for the school,
140 (B) trends for the accountability indices during the period that such
141 schools are participating in the commissioner's network of schools, (C)
142 adjustments for subgroups of students at such schools, including, but
143 not limited to, students whose primary language is not English,
144 students receiving special education services and students who are
145 eligible for free or reduced price lunches, and (D) performance
146 evaluation results in the aggregate for teachers and administrators at
147 such schools.

148 (3) [Following] Not later than September fifteenth following the
149 expiration of the turnaround plan for each school participating in the
150 commissioner's network of schools, the commissioner shall submit a
151 final report that (A) evaluates such turnaround plan and the academic
152 performance of such school during the period that such turnaround
153 plan was in effect, and (B) makes recommendations for the operation
154 of such school to the joint standing committee of the General Assembly
155 having cognizance of matters relating to education, in accordance with
156 the provisions of section 11-4a.

157 (4) Not later than January 1, 2020, the commissioner shall submit a
158 report (A) evaluating the commissioner's network of schools and its
159 effect on improving student academic achievement in participating
160 schools, and (B) making any recommendations for the continued
161 operation of the commissioner's network of schools to the joint
162 standing committee of the General Assembly having cognizance of
163 matters relating to education, in accordance with the provisions of
164 section 11-4a.

165 (5) Not later than September thirtieth each year, the joint standing
166 committee of the General Assembly having cognizance of matters
167 relating to education shall meet with the Commissioner of Education
168 and any other persons they deem appropriate to consider the items
169 submitted pursuant to subdivisions (1) to (4), inclusive, of this
170 subsection.

171 Sec. 6. Subsection (a) of section 10-214 of the 2016 supplement to the
172 general statutes is repealed and the following is substituted in lieu
173 thereof (*Effective July 1, 2016*):

174 (a) Each local or regional board of education shall provide annually
175 to each pupil in kindergarten and grades one and three to five,
176 inclusive, a vision screening, using a Snellen chart, or equivalent
177 screening. The superintendent of schools shall give written notice to
178 the parent or guardian of each pupil (1) who is found to have any
179 defect of vision or disease of the eyes, with a brief statement describing
180 such defect or disease and a recommendation for the pupil to be

181 examined by a licensed optometrist or ophthalmologist, and (2) who
182 did not receive such vision screening, with a brief statement explaining
183 why such pupil did not receive such vision screening.

184 Sec. 7. Subsection (c) of section 10-91g of the 2016 supplement to the
185 general statutes is repealed and the following is substituted in lieu
186 thereof (*Effective from passage*):

187 (c) The Auditors of Public Accounts shall conduct the audit
188 described in subsection (b) of this section as follows: (1) [At least once
189 for each private provider] Using a risk-based approach, audits of
190 private providers of special education services [during a period of
191 seven years] will occur at a frequency the Auditors of Public Accounts
192 deem necessary, except that no private provider of special education
193 services shall have its records and accounts so examined more than
194 once during such five-year period, unless the auditors have found a
195 problem with the records and accounts of such private provider of
196 special education services during such five-year period; (2) as practical,
197 [approximately half of such] audits conducted in a year shall be of
198 private providers of special education services approved by the
199 Department of Education and [approximately half of such audits
200 conducted in such year shall be] of private providers of special
201 education services not approved by the Department of Education; and
202 (3) priority of conducting such audits, as practical, shall be given to
203 those private providers of special education services (A) that receive
204 the greatest total amount of state or local funds for the provision of
205 special education services to students, (B) that provide special
206 education services to the highest number of students for whom an
207 individual services plan has been written by a local or regional board
208 of education, and (C) that have a highest proportion of state and local
209 funds for the provision of special education services in relation to their
210 total operational expenses.

211 Sec. 8. Section 10-91h of the 2016 supplement to the general statutes
212 is repealed and the following is substituted in lieu thereof (*Effective*
213 *from passage*):

214 Each local and regional board of education shall annually provide to
215 the Auditors of Public Accounts (1) the number of students under the
216 jurisdiction of such board of education who receive special education
217 and related services from a private provider of special education
218 services, as defined in section 10-91g, as amended by this act, [and] (2)
219 the amount of money paid to such private providers of special
220 education services by the board during the previous fiscal year, and (3)
221 any other information the Auditors of Public Accounts deem necessary
222 to conduct an audit of such private providers of special education
223 services pursuant to section 10-91g, as amended by this act.

224 Sec. 9. Subsection (i) of section 2-90 of the 2016 supplement to the
225 general statutes is repealed and the following is substituted in lieu
226 thereof (*Effective from passage*):

227 (i) Said auditors shall audit, in accordance with the provisions of
228 section 10-91g, as amended by this act, the records and accounts of any
229 private provider of special education services, as defined in said
230 section. Any private provider of special education services being
231 audited by said auditors shall provide any information said auditors
232 deem necessary to conduct such audit.

233 Sec. 10. Subsection (a) of section 10-16nn of the general statutes is
234 repealed and the following is substituted in lieu thereof (*Effective from*
235 *passage*):

236 (a) There is established an Interagency Council for Ending the
237 Achievement Gap. The council shall consist of: (1) The Lieutenant
238 Governor, or the Lieutenant Governor's designee, (2) the
239 Commissioner of Education, or the commissioner's designee, (3) the
240 Commissioner of Children and Families, or the commissioner's
241 designee, (4) the Commissioner of Social Services, or the
242 commissioner's designee, (5) the Commissioner of Public Health, or the
243 commissioner's designee, (6) the president of the Board of Regents for
244 Higher Education, or the president's designee, (7) the Commissioner of
245 Economic and Community Development, or the commissioner's
246 designee, (8) the Commissioner of Administrative Services, or the

247 commissioner's designee, (9) the Secretary of the Office of Policy and
248 Management, or the secretary's designee, [and] (10) the Commissioner
249 of Housing, or the commissioner's designee, and (11) the Chief Court
250 Administrator, or the Chief Court Administrator's designee. The
251 chairperson of the council shall be the Lieutenant Governor, or the
252 Lieutenant Governor's designee. The council shall meet at least
253 quarterly.

254 Sec. 11. Subsection (h) of section 10-145d of the 2016 supplement to
255 the general statutes is repealed and the following is substituted in lieu
256 thereof (*Effective July 1, 2016*):

257 (h) Any person who is a licensed marital and family therapist,
258 pursuant to section 20-195c, or a candidate for licensure as a marital
259 and family therapist, and employed by a local or regional board of
260 education as a marital and family therapist shall provide services to
261 students, families and parents or guardians of students. Not later than
262 July 1, 2014, the State Board of Education shall, in accordance with the
263 provisions of chapter 54, adopt regulations to implement the
264 provisions of this subsection and provide standards for the
265 certification of marital and family therapists employed by local or
266 regional boards of education. Such regulations shall authorize marital
267 and family therapists employed by a local or regional board of
268 education to provide services to students, families and parents or
269 guardians of students and include certification requirements to be met
270 by (1) licensure as a marital and family therapist under section 20-195c,
271 and (2) such other experience as the State Board of Education deems
272 appropriate for the position of marital and family therapist in a school
273 system.

274 Sec. 12. (NEW) (*Effective July 1, 2016*) A local or regional board of
275 education may establish a Pipeline for Connecticut's Future program.
276 Under the program, a local or regional board of education shall partner
277 with one or more local businesses to offer on-site training and course
278 credit to students.

279 Sec. 13. (NEW) (*Effective July 1, 2016*) (a) As used in this section:

280 (1) "Mobile electronic device" means any hand-held or other
281 portable electronic equipment capable of providing data
282 communication between two or more individuals, including, but not
283 limited to, a text messaging device, a paging device, a personal digital
284 assistant, a laptop computer, equipment that is capable of playing a
285 video game or a digital video disk, or equipment on which digital
286 images are taken or transmitted; and

287 (2) "School employee" means: (A) A teacher, substitute teacher,
288 school administrator, school superintendent, guidance counselor,
289 psychologist, social worker, nurse, physician, school paraprofessional
290 or coach employed by a local or regional board of education or a
291 private elementary, middle or high school or working in a public or
292 private elementary, middle or high school; or (B) any other person
293 who, in the performance of his or her duties, has regular contact with
294 students and who provides services to or on behalf of students
295 enrolled in (i) a public elementary, middle or high school, pursuant to
296 a contract with the local or regional board of education, or (ii) a private
297 elementary, middle or high school, pursuant to a contract with the
298 supervisory agent of such private school.

299 (b) No school employee may take custody of a student's personal
300 mobile electronic device for purposes of accessing any data or other
301 content stored upon or accessible from such device, or compel a
302 student to produce, display, share or provide access to any data or
303 other content stored upon or accessible from such device, except a
304 school employee may search, in accordance with the provisions of
305 subsection (c) of this section, a student's personal mobile electronic
306 device if the school employee has a reasonable individualized
307 suspicion that a student (1) has violated or is violating an educational
308 policy and that such device contains evidence of the suspected
309 violation, or (2) poses a risk of imminent personal injury to such
310 student or others.

311 (c) A school employee may search a student's personal mobile
312 electronic device, pursuant to subsection (b) of this section, provided

313 (1) such device is located on school grounds, (2) the search is strictly
314 limited to finding evidence of the suspected policy violation, and (3)
315 the school employee immediately ceases searching such device upon
316 finding sufficient evidence of the suspected violation. Immediately
317 after searching such device, the school employee shall report, in
318 writing, to the principal the reasonable individualized suspicion that
319 gave rise to the search. Not later than twenty-four hours after the
320 search, the principal shall notify the student and the parent or
321 guardian of the student of the suspected violation and what data was
322 accessed from such device during the search of such device. The
323 principal shall provide a copy of the report detailing the reasonable
324 individualized suspicion that gave rise to the search.

325 (d) No school employee shall copy, share or transfer any data or any
326 information accessed on a student's personal mobile electronic device
327 during a search of such device that is unrelated to the suspected
328 violation of an educational policy.

329 Sec. 14. Subsections (b) to (d), inclusive, of section 10-221a of the
330 2016 supplement to the general statutes are repealed and the following
331 is substituted in lieu thereof (*Effective July 1, 2016*):

332 (b) For classes graduating from 2004 to [2020] 2021, inclusive, no
333 local or regional board of education shall permit any student to
334 graduate from high school or grant a diploma to any student who has
335 not satisfactorily completed a minimum of twenty credits, not fewer
336 than four of which shall be in English, not fewer than three in
337 mathematics, not fewer than three in social studies, including at least a
338 one-half credit course on civics and American government, not fewer
339 than two in science, not fewer than one in the arts or vocational
340 education and not fewer than one in physical education.

341 (c) Commencing with classes graduating in [2021] 2022, and for each
342 graduating class thereafter, no local or regional board of education
343 shall permit any student to graduate from high school or grant a
344 diploma to any student who has not satisfactorily completed (1) a
345 minimum of twenty-five credits, including not fewer than: (A) Nine

346 credits in the humanities, including not fewer than (i) four credits in
347 English, including composition; (ii) three credits in social studies,
348 including at least one credit in American history and at least one-half
349 credit in civics and American government; (iii) one credit in fine arts;
350 and (iv) one credit in a humanities elective; (B) eight credits in science,
351 technology, engineering and mathematics, including not fewer than (i)
352 four credits in mathematics, including algebra I, geometry and algebra
353 II or probability and statistics; (ii) three credits in science, including at
354 least one credit in life science and at least one credit in physical science;
355 and (iii) one credit in a science, technology, engineering and
356 mathematics elective; (C) three and one-half credits in career and life
357 skills, including not fewer than (i) one credit in physical education; (ii)
358 one-half credit in health and safety education, as described in section
359 10-16b; and (iii) two credits in career and life skills electives, such as
360 career and technical education, English as a second language,
361 community service, personal finance, public speaking and nutrition
362 and physical activity; (D) two credits in world languages, subject to the
363 provisions of subsection (g) of this section; and (E) a one credit senior
364 demonstration project or its equivalent, as approved by the State Board
365 of Education; and (2) end of the school year examinations for the
366 following courses: (A) Algebra I, (B) geometry, (C) biology, (D)
367 American history, and (E) grade ten English.

368 (d) Commencing with classes graduating in [2021] 2022, and for
369 each graduating class thereafter, local and regional boards of education
370 shall provide adequate student support and remedial services for
371 students beginning in grade seven. Such student support and remedial
372 services shall provide alternate means for a student to complete any of
373 the high school graduation requirements or end of the school year
374 examinations described in subsection (c) of this section, if such student
375 is unable to satisfactorily complete any of the required courses or
376 exams. Such student support and remedial services shall include, but
377 not be limited to, (1) allowing students to retake courses in summer
378 school or through an on-line course; (2) allowing students to enroll in a
379 class offered at a constituent unit of the state system of higher
380 education, as defined in section 10a-1, pursuant to subdivision (4) of

381 subsection (g) of this section; (3) allowing students who received a
382 failing score, as determined by the Commissioner of Education, on an
383 end of the school year exam to take an alternate form of the exam; and
384 (4) allowing those students whose individualized education programs
385 state that such students are eligible for an alternate assessment to
386 demonstrate competency on any of the five core courses through
387 success on such alternate assessment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-14n
Sec. 2	<i>July 1, 2016</i>	10-145b(g)
Sec. 3	<i>July 1, 2016</i>	10-144o(7)
Sec. 4	<i>July 1, 2016</i>	10-198c(a)(2)
Sec. 5	<i>July 1, 2016</i>	10-223h(j)
Sec. 6	<i>July 1, 2016</i>	10-214(a)
Sec. 7	<i>from passage</i>	10-91g(c)
Sec. 8	<i>from passage</i>	10-91h
Sec. 9	<i>from passage</i>	2-90(i)
Sec. 10	<i>from passage</i>	10-16nn(a)
Sec. 11	<i>July 1, 2016</i>	10-145d(h)
Sec. 12	<i>July 1, 2016</i>	New section
Sec. 13	<i>July 1, 2016</i>	New section
Sec. 14	<i>July 1, 2016</i>	10-221a(b) to (d)